

STATE OF INDIANA            )  
  )SS:  
COUNTY OF LAKE            )  
SITTING IN \_\_\_\_\_, INDIANA

ESTATE OF ALEXANDRIA        )  
HEADD, Deceased, by Personal    )  
Representative VEVKE            )  
ANTHONY HEADD.,                )  
  )  
Plaintiff,                        )  
  )  
v.                                 )  
  )  
DAVID M. JONES and                )  
ERA TRANSPORT, INC.                )  
  )  
Defendants.                        )

CAUSE NO:

### COMPLAINT

Comes now, Plaintiff, Estate of Alexandria Headd, deceased, by personal representative Vevke Anthony Headd, by counsel David S. Gladish and Mark J. Schocke of the Gladish Law Group and hereby assert the following cause of action against Defendants David M. Jones and Era Transport, Inc. as follows:

1. Decedent Alexandria Headd was an Indiana resident and died on or about May 18, 2022 while domiciled in Lake County, Indiana.
2. Defendant David M. Jones is an adult resident of the Cook County, Chicago, Illinois and operated a vehicle within the State of Indiana at all times relevant to this cause of action.
3. Defendant Era Transport, Inc. is a foreign limited liability company with its principal place of business in Cook County, Illinois.

4. On or about May 18, 2022, Defendant David M. Jones was an individual driver employed by Defendant Era Transport, Inc. and was acting within the scope and course of that employment relationship at all times relevant to this cause of action.

5. Defendant Era Transport, Inc. is vicariously liable for the negligent acts of Defendant David M. Jones.

6. On or about May 18, 2022, Decedent was driving her vehicle eastbound on I-80/94, near mile marker 15.2 in the City of Lake Station in Lake County, Indiana.

7. At said time and place, Defendant Jones was the operator of a 2016 Volvo tractor trailer also traveling eastbound on I- 80/94 at or near mile marker 15.2. near the location of the Plaintiff's vehicle in the City of Lake Station, Lake County, Indiana and was an individual acting pursuant to his employment agreement with Defendant Era Transport, Inc.

8. Defendant owed Decedent a duty of care at all times relevant.

9. At said time and place, Defendant David M. Jones proceeded to drive in a negligent and reckless manner which includes, but is not limited to, the following:

- a. Traveling at a high rate of speed;
- b. Failing to maintain proper control of his vehicle;
- c. Failing to take evasive maneuvers in order to avoid a collision;
- d. Operated his vehicle aggressively and without regard for the health and safety of others on the roadway;
- e. Failing to keep a proper look out for warnings, other vehicles and obstructions;

- f. Failing to ensure that he had adequate line-of-sight of other vehicles and obstructions in his path;
- g. Failing to maintain proper speed given the weight of the truck and the vehicle's very limited stopping ability and maneuvering distance and line-of-sight;
- h. Failure to maintain proper distance between his vehicle and the vehicle in front given the weight of the truck and the vehicle's very limited stopping ability and maneuvering distance and line-of-sight;
- i. Operating the truck without adequate training and experience;
- j. Violation of applicable state and federal statutes;
- k. Violation of applicable city and local ordinances;
- l. Operating the truck in violation of any applicable law, statute, code, ordinance, regulation, or the like;
- m. Operating the truck in a fatigued condition and/or operating the truck in excess and beyond the allowable daily hours of driving and/or operation permitted by law; and/or
- n. Violated one or more of the Federal Motor Carrier Safety Regulations.

10. Defendant Era Transport, Inc. is liable for the negligent acts of its employee David M. Jones on the date in question based upon *respondeat superior*.

11. That as a direct and proximate result of Defendants' negligence as aforesaid, Alexandria Headd, decedent, sustained severe personal injuries, suffered physical pain and loss of life.

WHEREFORE, Plaintiff Estate of Alexandria Headd, by personal representative, Vevke Anthony Headd, hereby seeks just compensation against Defendant, David M. Jones and Era Transport, Inc. in an amount of money that will adequately and justly compensate the Plaintiff, for the loss of life, for costs of this action and for all other just and proper relief in the premises.

### **JURY DEMAND**

Plaintiff demands trial by jury.

/s/Mark J. Schocke  
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